

**REMARKS**

This Amendment is responsive to the Office Action mailed on November 1, 2006. Claims 1-4 are amended. New claims 5-8 are added. Claims 1-8 are pending.

The title is amended to correct spelling errors.

The Examiner has objected to the drawings as failing to show the valve seat claimed in claim 1. Claim 1 is amended to delete the term "valve seat." Withdrawal of the objection to the drawings is respectfully requested.

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Harris (US 5,829,620).

Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harris in view of Auzureau (US 5,988,423).

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harris in view of Kieper (US 5,785,074).

Applicants respectfully traverse these rejections in view of the amended claims and the following comments.

**Discussion of Amended Claims**

Claim 1 is amended to clarify the claim language. Claims 2-4 are amended to delete reference numerals.

New claim 5 is based on claim 1 and refers to a sealing module having a disk-shaped section abutting on said collar (see, e.g., Applicant's specification, page 7, first para., and Figure 1). New claims 6-8 are based on original claims 2-4.

**Discussion of Harris**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Harris. This rejection is respectfully traversed. An anticipation rejection requires that each and every element of the claimed invention as set forth in the claim be provided in the cited reference. See *Akamai*

*Technologies Inc. v. Cable & Wireless Internet Services Inc.*, 68 USPQ2d 1186 (CA FC 2003), and cases cited therein. As discussed in detail below, Harris does not meet the requirements for an anticipation rejection.

Harris is directed towards a quick-on cap for closing the mouth of a filler neck of a vehicle fuel tank. In contrast, Applicants' claimed invention is directed towards a bottom drainage valve for enameled containers such as those used in the chemical industry. The drainage valve of Applicants' claimed invention is for use in the bottom of a chemical container for drainage of liquid from the container and not as a cap in the filler neck of a fuel tank as is the device of Harris.

Applicants respectfully submit that the Examiner has misunderstood Applicants' claim language. Claim 1 is amended herein to clarify the claim language.

In rejecting claim 1, the Examiner equates the ring-shaped necked section with reference to the filler neck 12 of Harris and equates the flange part with the closure body 14 of Harris (Office Action, page 3). However, the conical taper at the end 22 of the closure body 14 of Harris does not function in connection with the sealing gasket 20 of Harris. In Harris, the sealing gasket 20 is an O-ring type gasket which sits in annular channel 32. This gasket 20 of Harris has an inner ring 40 which seals between one or more of walls 34, 36, and 38 and an outer ring 42 which seals between the interior wall 82 of the filler neck 12 and the closure body 14 (Col. 5, lines 13-20 and Col. 6, lines 23-25). In contrast, with Applicants' claimed invention, the seal is formed by the sealing module between the conical taper and the ring-shaped necked section. Harris does not disclose or remotely suggest a sealing module having an upper part arranged to provide a seal between the conical taper and the ring-shaped necked section, as claimed by Applicants.

Further, the sealing gasket 20 of Harris is not equivalent to Applicants' claimed sealing module. The sealing gasket of Harris is an O-ring type gasket having an inner ring 40 and an outer ring 42 connected by a thin annular membrane 48 (Col. 5, lines 13-22). Applicants' claimed sealing module has a cylindrical portion extending between the ring-shaped necked section and the cylindrical section of the flange part (See, e.g., section 5b of sealing module 5 in Applicants' Figures 1-2). Harris does not disclose or remotely suggest a sealing module having a

cylindrical portion as claimed by Applicants.

The arguments set forth above apply equally to Applicants' new claims 5-8.

As Harris does not disclose each and every element of the invention as claimed, the rejections under 35 U.S.C. § 102(b) are believed to be improper, and withdrawal of the rejections is respectfully requested. See, *Akamai Technologies Inc., supra*.

Applicants respectfully submit that the present invention is not anticipated by and would not have been obvious to one skilled in the art in view of Harris, taken alone or in combination with any of the other prior art of record.

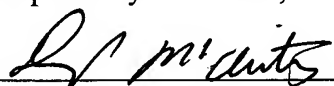
Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicants' silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

  
Douglas M. McAllister  
Attorney for Applicant(s)  
Registration No.: 37,886  
Lipsitz & McAllister, LLC  
755 Main Street  
Monroe, CT 06468  
(203) 459-0200

ATTORNEY DOCKET NO.: HOEG-1020

Date: January 31, 2007